

REMARKS

Claims 1-16, 20, 22, and 24-28 are pending in the application. Applicant respectfully requests reconsideration of this application.

Claim Changes

Claim 20 is amended to recite “wherein the audit identifier is embedded into a message attachment” These changes are based at least on FIG. 4 and the accompanying description on page 23 lines 12-15 of the specification as filed. Thus, no new matter is added.

Claim 22 is amended to correct a typographical error.

No amendment made is related to the statutory requirements of patentability unless expressly stated herein. No amendment is made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment is made to distinguish over a particular reference or combination of references. Any remarks made herein with respect to a given claim or amendment is intended only in the context of that specific claim or amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

Voluntary Amendment to the Claims

Applicant submits that dependent claim 22, depends on independent claim 20. Accordingly, Applicant has voluntarily amended Claim 22 to correct the typographical error. No new matter is added with this amendment.

Rejection of claims 1-10, 12-16, and 24-27 under 35 U.S.C. § 102(e) as being anticipated by US 6,721,784 (Leonard)

Applicant respectfully traverses the rejection of claims 1-10, 12-16, and 24-27.

Applicant respectfully submits that Leonard does not anticipate, either expressly or inherently, each and every element as set forth in independent claims 1 and 24. For example, independent claim 1 recites “at least one transceiver, configured to transmit and receive a message having a message identifier and a plurality of recipient identifiers wherein the plurality of recipient identifiers indicate an order of custody of the message by a plurality of different recipients” which is not anticipated either expressly or inherently, in Leonard. Emphasis added. Similarly, independent claim 24 recites “re-transmitting said message by said first recipient”

electronic device to at least a second recipient electronic device; and transmitting by said first recipient electronic device, a message log update, said message log update indicating that said message has been retransmitted to at least said second recipient electronic device” which is not anticipated either expressly or inherently, in Leonard. Emphasis added.

Leonard is directed to an electronic mail system which controls viewing and handling of the electronic mail message by retaining the message on the electronic mail server 1. In Leonard the message permanently exists only on the server 1 and erasure of the message from storage associated with the server expunges the message from existence. See Leonard, Abstract and col. 14, lines 51-65. Leonard further describes sending to the message originator a report on the life history of the message such as a description of who received the message, who opened it, to whom it was forwarded, who modified it, who printed it out, and the dates and times when reception, forwarding, modification, printing and so forth occurred. See Leonard, col. 18, lines 39-50. In Leonard the report is maintained and recorded at the server 1 (central server). See Leonard col. 22, lines 51-63 and FIG. 17. However, Applicant submits that Leonard’s “report on the life history of the message” is not same as Applicant’s claimed “a message having a message identifier and a plurality of recipient identifiers.” **Firstly**, Applicant’s claims are directed to embedding the information about order of custody of the message within the message. Since Leonard’s “report on the life history of the message” has no information content, Applicant’s message cannot be equated to Leonard’s “report on the life history of the message.” **Secondly**, in Leonard the report on the life history of the message is transmitted to the message originator only during message deletion. In contrast, the information about the order of custody of the message is distributed to all recipients, as the message is forwarded from one recipient to the other. **Thirdly**, Applicant’s claim 1 recites “one transceiver, configured to transmit and receive a message.” However, Leonard merely describes transmitting “report on the life history of the message” to the message originator and there is no teaching about receiving the “report on the life history of the message” from any recipient. In fact, as described above, “the report on the life history of the message is maintained and recorded only at the central server.” Therefore, Applicant’s message cannot be equated to Leonard’s “report on the life history of the message.” **Finally**, Leonard fails to describe a report identifier which identifies a particular report, therefore, Leonard’s “report on the life history of the message” is different than “a message having a message identifier and a plurality of recipient identifiers...” as claimed in claim 1.

In view of the foregoing, Applicant respectfully submits that Leonard does not disclose all claim limitations recited in independent claim 1. Applicant therefore submits that independent claim 1 is not anticipated by Leonard, and therefore the rejection of independent claim 1 under 35 USC 102(e) should be withdrawn. Applicant requests that independent claim 1 may now be passed to allowance.

Dependent claims 2-10 and 12-16 depend from, and include all the limitations of independent claim 1. Therefore, Applicant respectfully requests reconsideration of dependent claims 2-10 and 12-16, and requests the withdrawal of the rejection

Regarding, independent claim 24, Applicant submits that Leonard fails to describe “re-transmitting said message by said first recipient electronic device to at least a second recipient electronic device; and transmitting by said first recipient electronic device, a message log update...” as recited by independent claim 24. As described above, in Leonard a message permanently exists only on the server 1 (central server) such that erasure of the message from storage associated with the server expunges the message from existence. In Leonard, instead of the actual message a device merely sends a forwarding request to the central server. Leonard further describes “[A] forwarding request from the original recipient is handled in exactly the same manner as a request by the recipient to view the original message, i.e., by notification sent by the central server to the intended recipient of the forwarded message that an electronic mail message has been received, by downloading a viewer applet as necessary, and then by transmitting the message to the installed viewer applet 7 on the forwarded message recipient's computer 8.” See Leonard col. 15, lines 7-16. Therefore, Leonard fails to describe “re-transmitting said message by said first recipient electronic device to at least a second recipient electronic device” as recited by independent claim 24. Additionally, in Leonard there is no teaching about transmitting a message log update by the first recipient electronic device. As described above, in Leonard the first recipient electronic device merely sends a forward request to the central server.

In view of the foregoing, Applicant respectfully submits that Leonard does not disclose all claim limitations recited in independent claim 24. Applicant therefore submits that independent claim 24 is not anticipated by Leonard, and therefore the rejection of independent claim 24 under 35 USC 102(e) should be withdrawn. Applicant requests that independent claim 24 may now be passed to allowance.

Dependent claims 25-27 depend from, and include all the limitations of independent claim 24. Therefore, Applicant respectfully requests reconsideration of dependent claims 25-27 and requests the withdrawal of the rejection.

Rejection of Claims 11, 20, 22, and 28 under 35 U.S.C. § 103(a) as being unpatentable over US 6,721,784 (Leonard) in view of US 7,209,953 (Brooks)

Applicant respectfully traverses in part and amends in part. Applicant has amended the claims to clarify the invention. Applicant therefore respectfully requests reconsideration of the rejection of claims 20, 22, and 28 under 35 U.S.C. § 103(a) as being unpatentable over Leonard in view of Brooks.

Applicant respectfully submits that the combination of Leonard and Brooks does not teach or suggest all the claim limitations as set forth in independent claims 22 and 28, as amended. For example, independent claim 22 recites “said audit identifier for tracking resending or forwarding of said message, wherein said audit identifier uniquely corresponds to the combination of a message identifier, an order of recipient identifiers, and a message originator identifier, wherein the audit identifier is embedded into a message attachment” which is not taught or suggested in the combination of Leonard and Brooks. Similarly, independent claim 28 recites “receiving from a server an audit identifier, said audit-identifier useful for tracking resending or forwarding of a message attachment, wherein said audit identifier uniquely corresponds to the combination of a message identifier, an order of recipient identifiers, and a message originator identifier and embedding said audit identifier into said message attachment” which is not taught or suggested in the combination of Leonard and Brooks. Emphasis added.

As described above, Leonard fails to describe an audit identifier embedded in the message. Applicant further submits that Brooks also fails to describe the above mentioned limitation. Brooks merely describe an attachment identifier which identifies an issuer device (device which transmits email with attachment). See Brooks, Abstract. Since, the attachment identifier of Brooks does not include order of plurality of recipients and message identifiers, Brook’s attachment identifier cannot be equated to Applicant’s “audit identifier.” Therefore, the combination Leonard and Brooks fails to disclose Applicant’s claimed invention as claimed in independent claims 20 and 28. Therefore, Applicant respectfully requests withdrawal of the

rejection of claims 20 and 28 under 35 USC 103(a). Applicant requests that claims 20 and 28 now be passed to allowance.

Dependent claim 22 depends from, and includes all the limitations of independent claim 20. Therefore, Applicant respectfully requests reconsideration of dependent claim 22 and requests the withdrawal of the rejection.

Dependent claim 11 depends from, and includes all the limitations of independent claim 1. Therefore, Applicant respectfully requests reconsideration of dependent claim 11 and requests the withdrawal of the rejection. Additionally, Applicant submits that dependent claim 11 recites “wherein said transceiver is further configured to receive, from a server, an audit identifier into a message attachment prior to transmission of said message” which is not taught or suggested by the combination of Leonard and Brooks. Emphasis Added. As described above, Leonard fails to describe an audit identifier embedded in the message. Therefore, Leonard fails to describe the above mentioned limitation.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Such action is earnestly solicited by the Applicant. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant’s attorney or agent at the telephone number indicated below.

The Commissioner is hereby authorized to deduct any additional fees arising as a result of this response, including any fees for Extensions of Time, or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

Respectfully submitted,

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